

LEGISLATIVE, RULES & GOVERNMENTAL OPERATIONS COMMITTEE

LEGISLATIVE AGENDA

AUGUST 1, 2024

***Committee Members: Supervisors Strough, Conover, Wild, Driscoll, Maday, Geraci and Thoms
Chair of the Board shall serve as an Ex-Officio member when needed in accordance
with Section C(4) of the Rules of the Board***

- I. Committee meeting called to order by Committee Chair
- II. Approval of minutes of prior Committee meeting - *July 3, 2024*
- III. Privilege of the Floor/Public Comment
- IV. Action Agenda/New Business Items:
 1. Request from The Barton Group for a resolution and letter supporting their application to the Adirondack Park Agency and the NYS Department of Environmental Conservation requesting modifications to their mining permit for Barton Mines in the Town of Johnsbury.
- V. Discussion Items:
 1. Cattaraugus County Legislature Resolution No. 268 of 2024, *“Urging New York State Public Service Commission to Reject National Grid’s Proposed Rate Increases for Electric and Natural Gas”*

National Grid representatives Kim Ireland and Tom Iwinski to provide information regarding proposed rate increases.
- VI. Referrals/Pending Items:
- VII. Privilege of the Floor to discuss any additional items to come before the Committee
- VIII. Motion to adjourn

Attachments:

- 1) *Emailed request from The Barton Group; Resolution No. 528 of 2021 and accompanying letter sent in 2022 (Action Item 1)*
- 2) *Cattaraugus County Legislature Resolution No. 268 of 2024 (Discussion Item 1).*

Allen, Amanda

From: Taflan, John
Sent: Thursday, July 18, 2024 2:54 PM
To: Allen, Amanda
Subject: FW: Barton Mines Permit Update

Importance: High

John Taflan

*County Administrator
 Warren County Municipal Center
 1340 State Route 9
 Lake George, New York 12845
 Office: (518) 761-6539
taflanj@warrencountyny.gov*

From: Albano, Robert <ralbano@barton.com>
Sent: Thursday, July 18, 2024 10:43 AM
To: Taflan, John <taflanj@WarrenCountyNY.gov>
Cc: Rapple, Randy <rrapple@barton.com>; John Brodt <john.brodt@behancom.com>; Clifford, Melissa <mclifford@barton.com>; Cangemi, Mario <mcangemi@barton.com>
Subject: Barton Mines Permit Update
Importance: High

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

John –

We are writing to update you on Barton Mines' application to the Adirondack Park Agency and the New York State Department of Environmental Conservation requesting modifications to our mining permit that are essential to keeping our Adirondack operations running for decades to come.

As you know, our 146-year-old company is faced with a major challenge at our mine in the town of Johnsburg. Under our current permits, we will run out of space to store our residual minerals (those minerals not currently used in our products) in approximately five years. Without an increase in permitted storage capacity, we will be forced to shut down our operations. To address this challenge, we have proposed solutions that will increase our onsite storage and gradually extend the footprint and depth of our quarry in such a way that the life of our operations, including approximately 100 jobs, will be extended for the next six decades. All of our proposed modifications will take place entirely on Barton property and leave more than 600 of our approximately 850 acres as undeveloped, forested land. As has been the case for generations, we believe we have developed a long-term plan that is good for Barton's business, compatible with our surrounding community, and protective of our Adirondack setting.

Earlier this week, Barton submitted an updated application, addressing the most recent questions from the APA and DEC staff. We are hopeful that this will be the final round of questions and that our application will soon be deemed

complete and opened to formal public comment, at which time we hope you will express your support. We will notify you again when the comment period opens, but we thought this advance notice might be helpful for planning purposes.

For your convenience, I've included the contact information for submitting support letters to both agencies:

Beth Magee
Deputy Regional Permit Administrator
NYSDEC
232 Golf Course Rd.
Warrensburg, NY 12885
Beth.magee@dec.ny.gov

David Plante
Deputy Director for Regulatory Programs
Adirondack Park Agency
PO Box 99
Ray Brook, NY 12977
rpcomments@apa.ny.gov

Thank you for your time and support.

Sincerely,
Rob

Robert Albano, SPHR
Vice President of Human Resources
The Barton Group
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Warren County Board of Supervisors

RESOLUTION NO. 528 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS HOGAN, FRASIER, WILD, STROUGH, LEGGETT, GERAGHTY AND MERLINO

AUTHORIZING THE COUNTY ADMINISTRATOR AND THE COUNTY ATTORNEY TO DRAFT, AND THE CHAIR OF THE BOARD TO EXECUTE, A LETTER IN SUPPORT OF BARTON MINES' APPLICATION TO THE ADIRONDACK PARK AGENCY TO MODIFY THEIR MINING PERMIT TO ALLOW THEM TO EXTEND BOTH RESIDUAL MINERALS STORAGE CAPACITY AND THE LIFE OF THEIR MINE TO APPROXIMATELY 75 YEARS

RESOLUTION AMENDED FROM THE FLOOR

WHEREAS, Barton Mines has been responsibly mining garnet in the Central Adirondack region since 1878 in the Town of Johnsburg, and

WHEREAS, the capacity for storing residual minerals is limited to approximately eight (8) years of storage space and if the storage space runs out then Barton Mines will be unable to continue mining, and

WHEREAS, an application has been made to the Adirondack Park Agency to modify the mining permit to allow Barton Mines to extend both their residual minerals storage capacity and the life of their mine to approximately seventy-five (75) years, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes and directs the County Administrator and the County Attorney to draft, and the Chair of the Board to Execute, a letter in support of modifying the mining permit made to the Adirondack Park Agency to allow Barton Mines to extent both their residual minerals storage capacity and the life of their mine to approximate seventy-five (75) years, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to forward copies of the letter, along with this resolution, to the Adirondack Park Agency, the New York State Department of Environmental Conservation, the Federal Mine Safety and Health Administration, Senator Daniel G. Stec, Assemblyman Matthew Simpson, New York State Association of Counties and the Intercounty Legislative Committee of the Adirondacks.

ACT NO. 268-2024

by Mr. Benson, Mr. Brisky, Mr. Burr, Mrs. Hunt and Ms. Schröder

**URGING NEW YORK STATE PUBLIC SERVICE COMMISSION
TO REJECT NATIONAL GRID'S PROPOSED
RATE INCREASES FOR ELECTRIC AND NATURAL GAS**

Pursuant to Section 153 of the County Law.

I. WHEREAS, National Grid has submitted a request to the New York State Public Service Commission (NYS PSC) asking for a rate increase of 15% for electricity and 20% for natural gas to take effect April 1, 2025, and

II. WHEREAS, these rate increases have to go through the NYS PSC for approval, and

III. WHEREAS, National Grid blames this rate increase on the cost of materials to build and maintain transmission networks, devaluation of the U.S. dollar, and ongoing increases to contractor costs, and

IV. WHEREAS, New York's electricity prices per kilowatt hour are approximately 5.97% higher than the national average, and

V. WHEREAS, said proposed rate increases are a consequence of the New York liberal democratic green energy policies pushing incentives and mandates which ultimately pass the financial burden onto consumers, and

VI. WHEREAS, New York State is responsible for the conditions that have led to the proposed rate increases with its high-cost and price-insensitive energy policies that are detached from the fiscal realities of the ratepayers and consumers, and

VII. WHEREAS, the higher rates will be burdensome on customers at a time when taxpayers are economically strapped through the high cost of inflation, and

VIII. WHEREAS, with the high cost of inflation, Cattaraugus County citizens, including retirees, seniors, those on fixed incomes, not-for-profits and people with disabilities, are living paycheck to paycheck struggling to make ends meet, and

IX. WHEREAS, another increase in another necessity will only create a heavier burden to the burden the citizens are already bearing, and

X. WHEREAS, this is just another reckless, cost insensitive green energy initiative that is being forced on National Grid by irresponsible New York State energy policies, now, therefore, be it

I. RESOLVED, that the Cattaraugus County Legislature hereby further urges the New York State Public Service Commission to reject the excessive rate increases proposed by National Grid for electric and gas, and be it further

II. RESOLVED, that the Cattaraugus County Legislature hereby condemns National Grid for its proposed excessive electric and gas rate increases, and be it further

III. RESOLVED, that the Cattaraugus County Legislature vehemently urges Governor Hochul and the New York State Legislature to protect the citizens of New York State from these proposed excessive rate increases, and be it further

IV. RESOLVED, that a copy of this resolution be forwarded to each county in New York State, encouraging member counties to enact similar resolutions, and be it further

V. RESOLVED, that the Clerk of the Legislature is hereby directed to forward a certified copy of this resolution to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Senate Minority Leader Rob Ortt, Assembly Majority Leader Crystal D. Peoples-Stokes, Assembly Minority Leader William Barclay, Senator George Borrello, Assemblyman Joseph Giglio, New York State Association of Counties, the Inter-County Association of Western New York, National Grid, and all others deemed necessary and proper.



This is to Certify that I, the undersigned, Deputy Clerk of the Legislature of the County of Cattaraugus, have compared the foregoing copy of resolution with the original thereof on file in this office and which was duly adopted by the Legislature of said County on the 12th day of June, 2024 and that the same is a true and correct transcript of such resolution and of the whole thereof.

In Witness Whereof, I have hereunto set my hand and the official seal of the Legislature of the County of Cattaraugus, this 19th day of June, 2024.

A handwritten signature in blue ink, which appears to read "Lori A. Pangborn". The signature is written in a cursive style.

Lori A. Pangborn, Deputy Clerk of the Legislature